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PTO/SB/05 (08-00) (modified)

Approved for use through 9/30/2001, OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

<b>NEW UTILITY PATENT APPLICATION TRANSMITTAL</b> <small>(only for new nonprovisional applications under 37 CFR 1.53(b))</small>		<b>Attorney Docket Number</b> (P3073US1) 18602-07431  <b>First Named Inventor</b> Michael Stochosky  <b>Title</b> PEER-TO PEER ACTIVE CONTENT SHARING  <b>Express Mail Label No.</b> EV 338300935 US
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17612 U.S.P.T.O.  
10/612632  
07/01/03

<b>APPLICATION ELEMENTS</b>		<b>ACCOMPANYING APPLICATION PARTS</b>	
1. <input checked="" type="checkbox"/> Fee Transmittal Form (in duplicate) 2. <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27 3. <input checked="" type="checkbox"/> Specification      Total Pages <span style="border: 1px solid black; padding: 2px;">30</span> <i>(preferred arrangement set forth below)</i> <ul style="list-style-type: none"> <li><input type="checkbox"/> Descriptive Title of the Invention</li> <li><input type="checkbox"/> Cross Reference(s) to Related Case(s)</li> <li><input type="checkbox"/> Statement Regarding Fed sponsored R &amp; D</li> <li><input type="checkbox"/> Background of the Invention</li> <li><input type="checkbox"/> Brief Summary of the Invention</li> <li><input type="checkbox"/> Brief Description of the Drawing(s)</li> <li><input type="checkbox"/> Detailed Description</li> <li><input type="checkbox"/> Claim or Claims</li> <li><input type="checkbox"/> Abstract of the Disclosure</li> </ul> 4. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113)      Total Sheets <span style="border: 1px solid black; padding: 2px;">7</span> 5. Oath or Declaration <ul style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> New Combined Declaration/Power of Attorney      Total Pages <span style="border: 1px solid black; padding: 2px;">2</span> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Executed (original or copy)</li> </ul> </li> <li>b. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63(d))  <i>(for continuation/divisional with Box 18 completed)</i> <ul style="list-style-type: none"> <li>i. <input type="checkbox"/> DELETION OF INVENTOR(S)  Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).</li> </ul> </li> </ul> 6. <input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76	7. <input checked="" type="checkbox"/> Assignment Papers (cover sheet & document(s)) 8. <input type="checkbox"/> Certified Copy of Priority Document(s) <i>(if foreign priority is claimed)</i> 9. <input type="checkbox"/> Power of Attorney or Authorization of Agent 10. <input type="checkbox"/> 37 CFR 3.73(b) Statement 11. <input type="checkbox"/> Preliminary Amendment 12. <input type="checkbox"/> Information Disclosure Statement & PTO/SB/08A <ul style="list-style-type: none"> <li><input type="checkbox"/> Copies of IDS Citation(s)</li> </ul> 13. <input checked="" type="checkbox"/> Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent 14. <input checked="" type="checkbox"/> Return Postcard 15. <input type="checkbox"/> 16. <input type="checkbox"/> 17. <input type="checkbox"/>		

**ADDRESS TO:**

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

18. If a **CONTINUING APPLICATION**, check appropriate box and supply the requisite information below and in a preliminary amendment or in an Application Data Sheet under 37 CFR 1.76:

Continuation     Divisional     Continuation-in-part (CIP)    of prior application No: \_\_\_\_\_ / \_\_\_\_\_

Prior application information: Examiner: \_\_\_\_\_ Group/Art Unit: \_\_\_\_\_

For **CONTINUATION OR DIVISIONAL APPS only:** The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuing or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**19. CORRESPONDENCE ADDRESS**

Customer Number and Bar Code Label

00758

Name (Print/Type)	Dorian Cartwright	Registration No. (Attorney/Agent)	53,853
Signature	<i>Dorian Cartwright</i>		Date July 1, 2003

18602/07431/DOCS/1360397.1

# FEE TRANSMITTAL for FY 2003

Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$ 1306.00)*Complete if Known*

Application Number	Not yet known
Filing Date	July 1, 2003
First Named Inventor	Michael Stochosky
Examiner Name	Not yet known
Art Unit	Not yet known

Attorney Docket No. (P3073US1) 18602-07431

**METHOD OF PAYMENT** (check all that apply)

Check  Credit Card  Money Order  Other  None  
 Deposit Account:

Deposit Account Number 19-2555

Deposit Account Name Fenwick &amp; West LLP

The Commissioner is authorized to: (check all that apply)  
 Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) during the pendency of this application  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Small Entity

Fee	Fee	Fee	Fee Description	Fee Paid
Code (\$)	Code (\$)	Code (\$)	Code (\$)	
1001 750	2001 375	Utility filing fee	750	
1002 330	2002 165	Design filing fee		
1003 520	2003 260	Plant filing fee		
1004 750	2004 375	Reissue filing fee		
1005 160	2005 80	Provisional filing fee		
<b>SUBTOTAL (1)</b>		<b>(\$)</b>	<b>750</b>	

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

		Extra Claims	Fee from below	Fee Paid
Total Claims	44	-20** = 24	X 18	= 432
Independent Claims	4	-3** = 1	X 84	= 84
Multiple Dependent				

		Fee Description		
Large Entity	Small Entity	Fee	Fee	Fee Description
Fee	Fee	Code (\$)	Fee	Code (\$)
1202 18	2202 9	Claims in excess of 20		
1201 84	2201 42	Independent claims in excess of 3		
1203 280	2203 140	Multiple dependent claim, if not paid		
1204 84	2204 42	**Reissue independent claims over original patent		
1205 18	2205 9	**Reissue claims in excess of 20 and over original patent		
<b>SUBTOTAL (2)</b>		<b>(\$)</b>	<b>516</b>	

\*or number previously paid, if greater; For Reissues, see above

**3. ADDITIONAL FEES**

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Code (\$)
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for <i>ex parte</i> reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 410	2252 205	Extension for reply within second month	
1253 930	2253 465	Extension for reply within third month	
1254 1,450	2254 725	Extension for reply within fourth month	
1255 1,970	2255 985	Extension for reply within fifth month	
1401 320	2401 160	Notice of Appeal	
1402 320	2402 160	Filing a brief in support of an appeal	
1403 280	2403 140	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,300	2453 650	Petition to revive - unintentional	
1501 1,300	2501 650	Utility issue fee (or reissue)	
1502 470	2502 235	Design issue fee	
1503 630	2503 315	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(g)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	40
1809 750	2809 375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 750	2810 375	For each additional invention to be examined (37 CFR 1.129(b))	
1801 750	2801 375	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	
Other fee (specify)			
<b>SUBTOTAL (3)</b>		<b>(\$)</b>	<b>40</b>

\*Reduced by Basic Filing Fee Paid

**SUBMITTED BY**

Complete (if applicable)

Name (Print/Type)	Dorian Cartwright	Registration No. (Attorney/Agent)	53,853	Telephone (650) 335-7247
Signature	<i>Dorian Cartwright</i>	Date	July 1, 2003	

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>NONPUBLICATION REQUEST UNDER 35 U.S.C. 122(b)(2)(B)(i)</b>	First Named Inventor	Michael Stochosky
	Title	PEER-TO PEER ACTIVE CONTENT SHARING
	Atty Docket Number	(P3073US1) 18602-07431

I hereby certify that the invention disclosed in the attached application **has not been and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

July 1, 2003

Date



Signature

Dorian Cartwright, Reg. No.53,853

Typed or printed name/Registration Number

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

18602/07431/DOCS/1360400.1